THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 13099 of 1996

Dated: 19-09-2006

Between:

Nunna Venkataiah and three others.

..... PETITIONERS

AND

The District Collector,
Khammam and another.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 13099 of 1996

O R D E R:

This writ petition is filed seeking a declaration that the notification, dated 27-02-1996, issued under Section 6 of the Land Acquisition Act, 1894 and the consequent steps to evict the petitioners, is arbitrary and illegal.

Initially this Court granted interim stay of dispossession. However, on a vacate petition filed by the respondents, this Court, having taken note of the fact that the possession of the property was taken on 31-03-1996, much before filing of the writ petition, vacated the interim stay by order dated 22-04-1997.

When the matter is taken up for hearing, it is brought to my notice by the learned Government Pleader for the respondents that during the pendency of this writ petition, an award has already been passed on 16-12-1999 following due process of law in respect of the land in question. In the circumstances, nothing survives for adjudication on merits.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioners to work out the remedy as available under law, if they are aggrieved by the quantum of compensation awarded. No costs.

G. ROHINI, J

Dated: 19-09-2006
KLP